



Re the application of Douglas Smith

Case Docket No. GTN-001

Serial No. 08/487,032

Filed: June 7, 1995

For: NUCLEIC ACID AND AMINO ACID SEQUENCES RELATING TO
HELICOBACTER PLYORI FOR DIAGNOSTICS AND THERAPEUTICS

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith for filing in connection with the above-identified application are the following:

- ☒ Response to Notice to File Missing Parts of Application (in duplicate)
- ☒ One executed Declaration, Petition and Power of Attorney
- ☒ Preliminary Amendment
- ☒ Sequence Listing substitute pages 76 through 782
- ☒ Transmittal Letter for Diskette for Sequence Listing
- ☒ Diskette Containing Sequence Listing
- ☒ Copy of PTO Form 1533
- ☒ Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Disclosures
- ☒ Request for Three-Month Extension of Time (in duplicate)
- ☒ Check in the amount of \$860.00 (missing parts and surcharge fee)
- ☒ Check in the amount of \$900.00 (extension fee)
- ☒ Check in the amount of \$2488.00 (presentation of extra claims)
- ☒ Return postcard

The fee has been calculated as shown below:

| (Col. 1) | | (Col. 2) | | (Col. 3) |
|--|-------------------------------------|----------|---------------------------------------|------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA |
| TOTAL | * 87 | MINUS | ** 20 | = 67 |
| INDEP. | * 16 | MINUS | *** 3 | = 13 |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | |

| SMALL ENTITY | |
|---------------------|---------------|
| RATE | ADDIT. FEE |
| x 11 = | \$0.00 |
| x 39 = | \$0.00 |
| +125 = | \$0.00 |
| TOTAL ADDIT. FEE | \$0.00 |

OR

| OTHER THAN A SMALL ENTITY | |
|------------------------------|---------------|
| RATE | ADDIT. FEE |
| x 22 = | \$ 1474.00 |
| x 78 = | \$ 1014.00 |
| + 250 = | \$0.00 |
| TOTAL | \$2488.00 |

- * If the entry in Col 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

Amendment Transmittal

Serial No. 08/487,032

Page 2

- ☒ Please charge any additional fees or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on:

December 15, 1995
Date
Amy E. Mandragouras
Amy E. Mandragouras, Reg. No. 36,207

Respectfully submitted,

LAHIVE & COCKFIELD

Amy E. Mandragouras
Amy E. Mandragouras
Reg. No. 36,207

950-101
1014-102
1474-103
136-105

LOC
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

the application of: Smith, Douglas

Serial No.: 08/487,032

Filed: June 7, 1995

For: *NUCLEIC ACID AND AMINO ACID
SEQUENCES RELATING TO HELICOBACTER
PYLORI FOR DIAGNOSTICS AND THERAPEUTICS*

Attorney Docket No.: GTN-001

Group Art Unit:

Examiner:

LOC 0260
1/4/96

~~LOC 0360~~
~~8-16-95~~

Assistant Commissioner for Patents
BOX MISSING PARTS
Washington, D.C. 20231

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

December 15, 1995
Date of Signature and of Mail Deposit

By: [Signature]
Amy E. Mandragouras
Registration No. 36,207
Attorney for Applicant

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Dear Sir:

Responsive to the Notice to File Missing Parts of Application dated September 17, 1995, Applicant's attorney submits herewith the executed Declaration, Petition and Power of Attorney for Patent Application and a check in the amount of **\$860.00** to cover the total amount owed by Applicant including the \$130.00 surcharge and the \$730.00 basic filing fee. A Preliminary Amendment, Sequence Listing in computer readable form as required by 37 CFR 1.821(e), Sequence Listing as required under 37 CFR 1.821(c), a copy of Form PTO-1532, and a copy of

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Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Disclosures are also enclosed.

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. 1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,

LAHIVE & COCKFIELD

A handwritten signature in black ink, appearing to read 'Amy E. Mandragouras', with a long horizontal flourish extending to the right.

Amy E. Mandragouras
Registration No. 36,207
Attorney for Applicants

60 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: December 15, 1995



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Smith, Douglas

Serial No.: 08/487,032

Filed: June 7, 1995

For: *NUCLEIC ACID AND AMINO ACID
SEQUENCES RELATING TO HELICOBACTER
PYLORI FOR DIAGNOSTICS AND THERAPEUTICS*

Attorney Docket No.: GTN-001

Group Art Unit:

Examiner:

BOX SEQUENCE

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER FOR DISKETTE OF SEQUENCE LISTING

Dear Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated September 17, 1995, we enclose a diskette which contains a computer readable form of the Sequence Listing for the above-referenced application. The Sequence Listing complies with the requirements of 37 C.F.R. §§1.821 and 1.825. The material on this diskette is identical in substance to the paper copy of the Sequence Listing which is submitted herewith. The computer readable form of the Sequence Listing contained on the enclosed diskette is understood to comply with the requirement of §1.824(d). No new matter has been added.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Sequence, Assistant Commissioner for Patents, Washington, DC 20231 on:

December 15, 1995

Date

Amy E. Mandragouras, Reg. No. 36,207

Respectfully submitted,

LAHIVE & COCKFIELD

Amy E. Mandragouras
Reg. No. 36,207
60 State Street
Boston, MA 0209
Tel. (617) 227-7400

Application No. _____

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c). —
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7. Other: _____

Applicant must provide:

- ☐ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123
For CRF submission help, call (703) 308-4212
For PatentIn software help, call (703) 308-6856

Please return a copy of this notice with your response.